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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
EUROPEAN DIESEL SERVICES, LTD.,

Plaintiff,

v.

07 Civ. 7036 (LTS)

M/V BART ROBERTS, her engines, boilers, tackles,
etc., *in rem*; and TRANSCROFT LIMITED,
RKM YACHT DEVISION, and RKM TRADING,
in personam,

**NOTICE OF
VOLUNTARY
DISMISSAL**

Defendant.
-----X

PLEASE TAKE NOTICE that the above-entitled action is hereby voluntarily dismissed without prejudice by Plaintiff, EUROPEAN DIESEL SERVICES, LTD., as to all of the Defendants, M/V BART ROBERTS, her engines, boilers, tackles, etc., *in rem*; and TRANSCROFT LIMITED, RKM YACHT DEVISION, and RKM TRADING, *in personam*, pursuant to Rule 41(a)(1) of the Rules of Civil Procedure for the United States District Courts. Defendants have not appeared, answered, or filed a motion for summary judgment in this action. No costs are to be assessed to any party.

Dated: Port Washington, New York
September 6, 2007

CHALOS, O'CONNOR & DUFFY LLP
Attorneys for Plaintiff,
EUROPEAN DIESEL SERVICES, LTD.

By: 

Owen F. Duffy (OD-3144)
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SO ORDERED:

Dated: New York, New York
September 10, 2007


Hon. Laura T. Swain, U.S.D.J.